

### **REMARKS**

Claims 3-8 and 13-21 are pending in the application. Claims 5, 15, 18, and 20 are currently amended.

The claimed invention includes a handheld device that accesses network communication services accessible by an Internet Protocol (IP) appliance by sharing the IP appliance's connections to the network. In this manner, the handheld device advantageously "piggy-backs" on the IP appliance's network access, thus reducing duplicate network configuration tasks and the cost of independent network access. In the claimed configuration, network communication services available to the handheld device may include Public Switched Telephone Network (PSTN) and IP telephony services, such as Voice-over-IP (VoIP).

### **Claim Rejections - 35 USC § 112**

Claims 18 and 20 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 18 and 20 have been amended with revised claim language that states that "the IP appliance and the handheld device share the connection to the network." Support for the amended claim language can be found in the specification at page 16, line 26 through page 17, line 17, page 17, line 25 through page 18, line 23, and FIGs. 4-6. For instance, the "handheld device 14 is shown electrically coupled...to the IP appliance 10" (see Spec., page 16, lines 26-28 and FIG. 5), where "[t]he IP appliance 10 is electrically coupled to an IP network 114" and "to a PSTN network 118" (see Spec., page 16, line 29 through page 17, line 2 and FIG. 5), such that "[t]he telephone call can be made over a traditional PSTN connection or alternatively, over an IP network 114 including a VoIP system" (see Spec., page 17, lines 9-10). Additionally, "[i]n this manner, the handheld device...can now use either the PSTN network or the VoIP network to complete the call" and can transfer data to and from a multimedia computer or the internet via the IP network 114.

(See, e.g., Spec., page 17, line 28, through page 18, line 23, and FIGs. 5 and 6). Figure 5 represents how the handheld device operationally connects to one or more devices on one or more networks via the IP appliance. The IP appliance and the handheld device share the connections to the networks, since either device can utilize the network communication services available through the IP appliance's connections, for example, the IP network 114 and PSTN network 118.

Dependent claims 19 and 21 stand rejected for the deficiency of their base claims, 18 and 20, respectively. Therefore, the amendments to claims 18 and 20 also address the rejection of claims 19 and 21.

Claims 18 and 20 also stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The amendments to claims 18 and 20 also address the indefiniteness rejection.

Based on the amendments and referenced support, it is submitted that independent claims 18 and 20 comply with the cited specification requirements. Claims 19 and 21 depend from 18 and 20, respectively, and are compliant for the same reasons. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 is respectfully requested.

#### **Claim Rejections - 35 USC § 102**

Claims 3-8 and 13-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by McZeal et al. (U.S. Patent No. 6,763,226).<sup>1</sup>

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<sup>1</sup>The Examiner states that "[c]laims 1-17" are rejected under 35 U.S.C. § 102(e) as being anticipated by McZeal et al. (See Office Action, page 4, section 3). But in the subsequent paragraphs of section 3 of the Office Action, the Examiner refers to pending claims 3-8 and 13-21. The Applicant will address claims 3-8 and 13-21 in this section of the Remarks.

As described above, independent claims 18 and 20 have been amended to more clearly recite various inventive features. Unlike McZeal, the claimed invention includes an IP appliance and a handheld device that share the IP appliance's network connection, such that the handheld device accesses network communication services through the IP appliance connections. As stated above, the handheld device piggy-backs on the IP appliance's network access. As a result, network registration of the handheld device separate from the IP appliance is not required in the claimed arrangement.

McZeal discloses a handheld device ("World-Wide-Walkie-Talkie") that is wirelessly coupled to a network for directly accessing network communication services, such as VoIP and a network bridge to a PSTN. (See, e.g., Abstract). McZeal provides customers with wireless computing using VoIP communications via the handheld's direct interface to the internet. (See, e.g., column 28, lines 5-10). Access to the PSTN is through "an internet based web server which then routes the call back to [the] correct telephone number on the Public Switched Telephone Network." (See, e.g., column 30, lines 33-35).

Contrary to the claimed invention, McZeal's handheld device requires its own network access, available after *user registration* and *unit activation* of the handheld device. "[I]n order to be an authorized user of the network one must always be properly registered on that network." (See, e.g., column 33, lines 27-31, emphasis added, and FIGs. 12 and 25). "[A] new user is registered to the network for purposes of actually using the data network to make voice over internet protocol calls, and to engage in...other services offered by the network." (See, e.g., column 33, lines 55-59). In a similar way, the handheld device "must always be properly registered on that network" in order for the unit to be an authorized unit of the network. (See, e.g., column 33, line 62 through column 34, line 10, emphasis added, and FIG. 26). Once registered, a user name and password are required to gain access to the network services. (See, e.g., FIGs. 12, 15, and 22).

Consequently, whenever the handheld device in McZeal accesses a network service, such as making a PSTN or VoIP call, it must have established its own network access.

The Examiner seems to equate McZeal's computer system 57 and login 59 to the claimed IP appliance and IP appliance connector, respectively. But McZeal's system 57 is a remote network server and the login 59 is executed wirelessly. (See, e.g., FIGs. 11-12 and column 21, lines 42-62). That is, McZeal's handheld device 60 interfaces with the remote server 57 through wireless access points to accomplish the above-identified network registration. McZeal's handheld device does not interface with the server 57 in the claimed manner to share an operative network connection. Rather, as indicated above, McZeal's handheld device uses its own independent network connection for these services. (See, e.g., "lightning bolt" communication links in FIG. 11). Therefore, McZeal does not teach a handheld device that shares an IP appliance's connections to a network via the physical mating of an IP appliance connector.

It is recognized that McZeal discloses potential connections between his handheld device and other devices using a Bluetooth Infrared wireless port 16 and a Universal Serial Bus (USB) port 13A. (See, e.g., column 32, lines 12-51, and FIGs. 1, 3, 21, and 24). But these ports are used exclusively for local data exchanges with devices such as personal computers (e.g., computer 27 or 28 of FIG. 3 or computer 80 of FIGs. 21 and 24), scanners, and printers. (See, e.g., column 32, lines 12-15 and 35-39, and FIGs. 3, 21, and 24). Importantly, these connections do not provide IP telephony network services (as set forth in claim 18) or PSTN access (as set forth in claim 19), which are only available in McZeal by establishing wireless network access directly between the handheld device and the network.

Unlike McZeal, claim 18 recites a system where the handheld device, when mated to the IP appliance, shares the IP appliance's connection to the network for access to network communication services accessible by the IP appliance, including IP telephony services. In this arrangement, the handheld device utilizes the IP network

interface of the IP appliance, details of which are described in the Application at page 15, lines 1-9, page 17, line 4 through page 18, line 2, and FIGs. 4 and 5, among other locations. The specification highlights the claimed invention's "advantages over present IP telephones and/or handheld devices that are connected independently to an IP network and/or a PSTN." (See Application, page 17, lines 5-6). Therefore, the Applicant's disclosure explicitly contemplates differences between the claimed system and a system as described by McZeal.

As demonstrated, McZeal teaches a handheld device that directly and wirelessly accesses a network, not a handheld device that mates to an IP appliance for access to a network. The Office Action cites to column 28, lines 5-37, column 32, lines 12-50, column 50, lines 28-48, FIGs. 11, 12, 14, and 15 for the claimed subject matter. But these sections and figures reinforce the "wireless" and "stand-alone" nature of the handheld device in McZeal. For example, "[t]he general idea behind the [McZeal] invention is to provide customers and users with...on-the-go wireless computing power" (see column 28, lines 5-7), "the device should be able to connect from anywhere on earth" (see column 28, lines 11-12), and "FIG. 12 shows the wireless instant messenger devices connecting to a Net2phone OEM configured network via wireless connection" (see column 50, lines 37-39). These sections teach a wireless handheld device that directly accesses a network, not a handheld device that physically mates to an IP appliance connector to share network access.

As requested by the Examiner on pages 8-9 of the Office Action, McZeal has been carefully reviewed in its entirety for more relevant passages and figures than those cited by the Examiner. None have been found.

For the reasons that the subject matter of 18 is not disclosed by McZeal, the method recited by claim 20 is not disclosed by McZeal. That is, McZeal teaches a handheld device that directly and wirelessly accesses a network, not a handheld device that is coupled to an IP appliance for access to a network.

For at least these reasons, independent claims 18 and 20 are patentable over McZeal. Claims 3-8, 13-17, 19, and 21 depend from either claim 18 or 20 and are allowable for at least the same reasons.

Also, the dependent claims recite additional inventive features. For example, claims 19 and 21 recite that "the network communication services further includes Public Switched Telephone Network (PSTN) telecommunication services" and claims 5 and 15 recite that "the PSTN telecommunication service is the only network communication service of the IP system used to establish the PSTN call." As shown in FIGs. 4 and 5, the handheld device 14 can establish a telephone call using the PSTN interface 98 of the IP appliance 10 without accessing an IP network 114 when the handheld device 14 is coupled to the IP appliance 10 and the IP appliance 10 has access to the PSTN 118 via the PSTN interface 98. This configuration allows the call to be established through a traditional PSTN connection, without using an IP network. (See Spec., page 17, lines 9-10 and page 17, line 30 through page 18, line 1).

In McZeal, access to the PSTN is through "an internet based web server which then routes the call back to [the] correct telephone number on the Public Switched Telephone Network." (See, e.g., column 30, lines 33-35). Therefore, since McZeal teaches PSTN access by way of an IP network bridge, these features of the claimed invention is not disclosed by McZeal.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e) is respectfully requested.

## **Conclusion**

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited

to initiate a telephone interview with the undersigned representative to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0988, our Order No. INMEP0108US.

Respectfully submitted,

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